

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELVE SHEPHERD, MELVIN HALL, PAUL DAY,)
ESTILL COLLINS, DONNIE HATFIELD, RODNEY)
OSBORNE, MIKE WILSON, BILL BLAIR,)
RAVENNA LYONS, KANNETH D. SEAT, J. J.)
STONE, AND PHILLIP LESLIE, MEMBERS OF)
A PRIVATE HOMEOWNERS ASSOCIATION, FOR)
AUTHORITY TO ACQUIRE AND TO OPERATE THE)
SEWAGE TREATMENT PLANT OWNED BY: B. B.)
SHEPHERD, SANITARY SEWAGE CORPORATION)
IN FLOYD COUNTY, KENTUCKY)

CASE NO. 9014

O R D E R

On March 19, 1984, Belve Shepherd, Melvin Hall, Paul Day, Estill Collins, Donnie Hatfield, Rodney Osborne, Mike Wilson, Bill Blair, Ravenna Lyons, Kanneth D. Seat, J. J. Stone, and Phillip Leslie, ("Homeowners") members of a private homeowners association, filed an application for authority to acquire the B. B. Shepherd Sanitary Sewage Corporation ("B. B. Shepherd").

Based on the evidence of record, and being advised, the Commission is of the opinion and finds that:

1. B. B. Shepherd is willing to convey the treatment plant and sewer system serving the B. B. Shepherd subdivision, and the Homeowners are willing to acquire said sewage treatment system.
2. On March 15, 1984, B. B. Shepherd executed a deed of conveyance transferring the B. B. Shepherd sewer system to the Homeowners.

3. Upon transfer of the B. B. Shepherd sewer system to the Homeowners, the Homeowners will be serving their own residences and no service will be provided to the public.

4. The B. B. Shepherd sewer system, after transfer to the Homeowners, will no longer be a utility as defined by KRS 278.010 and will cease to be regulated by the Commission for as long as the Homeowners provide service to themselves only.

5. Homeowners should take all steps necessary to insure that the members of the homeowners association divest themselves of such membership upon transfer of their property in the B. B. Shepherd subdivision.

6. B. B. Shepherd should file its 1984 Annual Report for January 1, 1984, through the date of transfer to Homeowners.

IT IS THEREFORE ORDERED that the transfer of the B. B. Shepherd sewer system to the Homeowners be and it hereby is approved.

IT IS FURTHER ORDERED that within 60 days of the date of this Order, B. B. Shepherd shall file its 1984 Annual Report covering January 1, 1984, through the date of transfer to Homeowners.

Done at Frankfort, Kentucky, this 13th day of July, 1984.

PUBLIC SERVICE COMMISSION

Richard D. Hemmick
Chairman

Kathleen D. H. H.
Vice Chairman

For [Signature]
Commissioner

ATTEST:

Secretary